

REMARKS

Claims 3 and 5-22 are pending in this application. By this Amendment, claims 3 and 5-10 are amended, claims 11-22 are added, and claims 1-2 are canceled without prejudice or disclaimer. Favorable reconsideration in view of the foregoing amendments and the following remarks is respectfully requested.

I. Request for Interview

Prior to further official action in this application, the undersigned requests a personal interview with the Examiner to discuss the merits.

II. Formal Matters

The Office Action rejects claims 1-3 and 5-10 under 35 U.S.C. §112, second paragraph, as being indefinite. This rejection is addressed by the foregoing amendments, and therefore withdrawal of the rejection is respectfully requested.

III. The Pending Claims Define Patentable Subject Matter

A. The Office Action rejects claims 1-3, 7 and 9 under 35 U.S.C. §102(e) over U.S. Patent Application Publication No. 20030106982 to Battig et al. ("Battig"). This rejection is respectfully traversed. Claim 1 is canceled and replaced by new claim 11, and therefore this rejection will be addressed as if applied to new claim 11.

Claim 11 recites, *inter alia*, a vehicle-mounted unit comprising a first slide passage extending in a first direction, a second slide passage extending in a second direction, that the first direction is not opposite to the second direction, and that the vehicle-mounted unit is free of any slide passage that extends in a direction opposite to the first direction, or in a direction opposite to the second direction.

Accordingly, claim 11 is clearly patentably distinct from Battig, in which each slide passage extends in a direction that is opposite to the direction of another slide passage.

Accordingly, claim 11, and all claims dependent therefrom, are patentably distinct from Battig. Withdrawal of this rejection is respectfully requested.

B. New independent claim 15 recites a "resilient latch rib" feature similar to that recited in claim 5. Claim 5 was rejected under 35 U.S.C. §103(a) over Battig in view of U.S. Patent No. 3,894,377 to Welch. This rejection will be addressed as if applied to new claim 15, and is respectfully traversed.

Applicant disagrees that it would have been obvious to include the structure of Welch in the structure of Battig in the manner suggested by the Office Action, because the proposed modification would have hindered or destroyed the operation of the Battig device.

Specifically, Battig discloses long holes 16 ("slide passages") that are designed to allow mounting bolts to slide laterally with respect to a mounting base in operation, to avoid thermal stress on the mounting bolts (see, e.g., paragraph [0006] of Battig). Because Battig thus seeks to allow easy, unrestrained movement of the mounting bolts through the long holes 16 during thermal cycling of the mounting base, it would clearly be contrary to Battig's teachings to provide a latch rib that restrains passage of the bolts through the long holes 16. Therefore, despite the teachings of Welch, or any other reference, it would not have been obvious to modify Battig in the manner suggested by the Office Action.

Accordingly, claim 15 is patentably distinct from the applied prior art.

C. New independent claim 17 recites that a slide passage is provided on an inner periphery with a latch flange, the latch flange partially closing the slide passage such that a minimum width of the slide passage is less than a diameter of a ridge of a thread on a supporting bolt, the latch flange engaging a valley of the thread. This feature is similar to the feature recited in dependent claim 10. Therefore, the §103(a) rejection of claim 10 over Battig in view of Welch will be addressed as if applied to new claim 17, and is respectfully traversed.

Applicant respectfully disagrees that Welch discloses a latch flange that engages a valley of a thread. As can be seen clearly in Fig. 6, for example, the threads of the fasteners are not even positioned within slot 50. Thus, even if combined, Battig and Welch would not include all of the features of claim 17.

D. New independent claim 19 recites, *inter alia*, a hollow body made of synthetic resin material.

In contrast, Battig discloses a device that is designed to deal with thermal cycling present in the vicinity of a turbocharger. There is no teaching or suggestion that the Battig device is made of resin material, and it would not have been obvious to make it so because it would have melted or otherwise been damaged during operation of the turbocharger. For at least this reason, claim 19, and all claims dependent therefrom, are patentably distinct from the applied prior art.

IV. Conclusion

For at least the reasons set forth above, it is respectfully submitted that the pending claims define patentable subject matter and that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:

Request for Continued Examination (RCE)
Amendment Transmittal

Date: June 23, 2005

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